

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re BOOKER T. WADE, JR.,)	Case No.: 14-CV-02795-LHK
)	
Debtor.)	ORDER TO SHOW CAUSE WHY
)	APPEAL SHOULD NOT BE
)	DISMISSED FOR FAILURE TO
)	PROSECUTE

Booker T. Wade (“Appellant”) filed a notice of appeal under 28 U.S.C. § 158(a) and Federal Rule of Bankruptcy Procedure 8001(a) from an order of the Bankruptcy Court entered June 11, 2014 captioned, “Order Denying Motion to Compel Custodian to Turnover Property of the Estate.” ECF No. 1. Appellant’s notice of appeal was timely filed on June 17, 2014. *Id.* Appellant also filed a designation of the record and statement of the issues pursuant to Rule of Bankruptcy Procedure 8006. *Id.* Also on June 17, 2014, the Clerk issued an order instructing the parties to perfect the record on appeal pursuant to Rules of Bankruptcy Procedure 8006 and 8007, and setting deadlines for the parties to file opening, opposition, and reply briefs. ECF No. 2. On July 8, 2014, Appellant filed an emergency ex parte motion for a temporary restraining order. ECF No. 3. The Court denied Appellant’s ex parte motion on July 10, 2014. ECF No. 4. Since July 10, 2014, no action has been taken in this matter.

The Court hereby orders Appellant to show cause why this case should not be dismissed for failure to prosecute. Appellant has until December 31, 2014 to file a response to this Order to Show

Cause. A hearing on this Order to Show Cause is set for **January 8, 2015 at 1:30 P.M.**

Appellant's failure to respond to this Order and to appear at the January 8, 2015 hearing will result in dismissal of this appeal for failure to prosecute.

IT IS SO ORDERED.

Dated: December 10, 2014


LUCY H. KOH
United States District Judge